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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,934	11/05/2001	Sung-Jin Kim	678-711 (P9667)	9174
28249	7590	05/17/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			PHAM, TUAN	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,934

Applicant(s)

KIM, SUNG-JIN

Examiner

TUAN A. PHAM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-4, 6-7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (U.S. Patent No.: 6,748,195) in view of Watanabe et al. (U.S. Patent No.: 6,731,939, hereinafter, "Watanabe") and further in view of Rosener et al. (U.S. 2002/0028655, hereinafter, "Rosener").

Regarding claim 1, Phillips teaches a method of sharing data with a slave using Bluetooth.TM wireless communication by a portable phone equipped with a Bluetooth.TM module, where the portable phone acts as a master, comprising the steps of (see figure 1):

receiving the data from a mobile communication system and storing the received data (see figure 1, internet 16, figure 3, storage 306, col.5, ln.35-47, col.6, ln.10-15),

determining whether to transmit the data to the slave by Bluetooth.TM wireless communication (see figure 1, col.4, ln.1-24), and

converting the data to data packet for Bluetooth.TM communication when it is determined that the data is to be transmitted to the slave (see col.4, ln.1-44, link controller interface convert the baseband protocols).

It should be noticed that Phillip fails to clearly teach determining whether the master is connected to the slave by a first ACL (Asynchronous ConnectionLess) link or an SCO (Synchronous Connection-Oriented) link, establishing a second ACL link and transmitting the data packet to the slave on the established ACL link if it is determined that the ACL link connects the master and the slave, and establishing an ACL link and transmitting the data packet to the slave on the established ACL link if it is determined that the SCO link connects the master and the slave. However, Watanabe teaches such features (see Figure 10, figure 11, col.9, ln.27-67, col.10, ln.1-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Watanabe, into view of Phillips in order to transfer the data from this device to other device by wireless fashion.

Phillip and Watanabe, in combination, fails to teach the protocol conversion for converting the cellular protocol to Bluetooth protocol. However, Rosener teaches such features (see figure 1, figure 8, UDC module, col.7, [0092-0105]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rosener into view of Phillip

and Watanable in order to convert the compatible protocol for transmitting in short range.

Regarding claim 3, Phillips further teaches the method wherein the data is Internet data (see col.3, ln.19-32).

Regarding claims 4 and 7, Phillips teaches a method of sharing information with a slave in a first piconet in a portable phone equipped with a Bluetooth.TM module that is a master in the first piconet and a slave in a second piconet, (see figure 1) comprising the steps of:

receiving data from a mobile communication system and storing the received data (see figure 1, internet 16, figure 3, storage 306, col.5, ln.35-47, col.6, ln.10-15),

determining whether to transmit the data to the slave of the first piconet by Bluetooth.TM wireless communication (see figure 1, col.4, ln.1-24), and

converting the data to data packet for Bluetooth.TM communication when it is determined that the data is to be transmitted to the slave of the first piconet (see col.4, ln.1-44, link controller interface convert the baseband protocols).

It should be noticed that Phillip fails to clearly teach determining whether the portable phone is connected to the slave of the first piconet by an ACL (Asynchronous ConnectionLess) link or an SCO (Synchronous Connection-Oriented) link; establishing another ACL link and transmitting the data to the slave of the first piconet on the established ACL link if it is determined that the ACL link connects the portable phone and the slave of the first piconet; and establishing an ACL link and transmitting the data packet to the slave of the first piconet on the established ACL link if it is determined that

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the SCO link connects the portable phone and the slave of the first piconet. However, Watanabe teaches such features (see Figure 10, figure 11, col.9, ln.27-67, col.10, ln.1-43) for a purpose of transferring the information within the piconet.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Watanabe, into view of Phillips in order to transfer the data from this device to other device by wireless fashion.

Phillip and Watanabe, in combination, fails to teach the protocol conversion for converting the cellular protocol to Bluetooth protocol. However, Rosener teaches such features (see figure 1, figure 8, UDC module, col.7, [0092-0105]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rosener into view of Phillip and Watanabe in order to convert the compatible protocol for transmitting in short range.

Regarding claims 6 and 9, Phillips further teaches the method wherein the data is Internet data (see col.3, ln.19-32).

4. Claims 2, 5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (U.S. Patent No.: 6,748,195) in view of Watanabe et al. (U.S. Patent No.: 6,731,939, hereinafter, "Watanabe") and further in view of Rosener et al. (U.S. 2002/0028655, hereinafter, "Rosener") as applied to claims 1, 4, and 7 above, and further in view of Bell (U.S. Patent No.: 6,660,902).

Regarding claims 2, 5, and 8, Phillips, Watanabe, and Rosener, in combination, fails to clearly teach the data is an SMS (Short Message Service) message. However, Bell teaches such features (see col.2, ln.53-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bell into view of Phillips, Watanabe, and Rosener, in order to receive the data or information at any time or anywhere.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (571) 272-8097 and

IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (571) 272-2600 FOR THE SUBSTITUTIONS OR COPIES.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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May 5, 2004
Examiner

Tuan Pham


CURTIS KUNTZ
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